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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,252	07/30/2001	Yang Gao		8656

7590

04/29/2004

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EXAMINER

COURTENAY III, ST JOHN

ART UNIT

PAPER NUMBER

2126

DATE MAILED: 04/29/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/916,252

Applicant(s)

GAO ET AL.

Examiner

St. John Courtenay III

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 July 1930 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


ST. JOHN COURTENAY III
PRIMARY EXAMINER

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1- 7 are rejected under 35 U.S.C. § 102(a) as being anticipated by **Hatcher, Erik**, "Remote Scripting Using a Servlet" Feb. 1, 2001, pages 1-13 (including attached code listings 3 –6, & 8) , available at:

<http://www-106.ibm.com/developerworks/library/wa-resc/?dwzone=web>

Note: the above article describes Brent Ashley's Javascript Remote Scripting application. Attached to the last page of the above reference is the web page "Ashley IT Remote Scripting Resources ... and home of JSRS" located at

<http://www.ashleyit.com/rs/main.htm>

This page appears to establish the date of prior invention as the "summer of 2000." With respect to the instant application, there is no reference within the specification or the declaration to a prior provisional filing date. The instant application has a filing date of July 30, 2001.

"I'm Brent Ashley. I wrote JSRS and RSLite in the summer of 2000 and released them for others to use, no strings attached."

As per independent claim 1:

Hatcher teaches a method for transmitting data between a Web page displayed within the application window at a client device and a server, the method comprising:

- transmitting, to a server, an HTTP request initiated by an HTML <form> element [see "FORM name = "form1" code listing on page 3; and
- receiving, from said server, output of an HTTP response associated with said HTTP request into an HTML <iframe> element, wherein the transmitting and receiving actions are accomplished without adding a Universal Resource Locator (URL) to said application's history list [see hidden <IFRAME> and associated discussion, page 2].

As per dependent claim 2:

Hatcher teaches the application window is a Web browser window [see Web application and Web browser discussion page 1].

As per dependent claims 3 & 4:

Hatcher provides that the HTML <form> element in the transmitting action and the HTML <iframe> element in the receiving action are contained within the same or different Web pages [see hidden <IFRAME> and associated discussion, page 2].

As per dependent claim 5:

Hatcher teaches the transmitting and receiving actions are repeated without adding a URL to said Web browser's history list.

As per dependent claim 6:

Hatcher teaches a procedure or set of program code residing at a server is identified by the HTTP request and invoked [see code listing page 5].

As per dependent claim 7:

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Hatcher teaches the procedure or set of program code is not contained in the server page identified by said HTTP request [see attached code listings 3-6, pages 7-13].

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How to Contact the Examiner:

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **St. John Courtenay III** whose voice telephone number is **(703) 308-5217**. A voice mail service is also available at this number. Normal Flex work schedule: M – F 7:30 AM - 4:00 PM

- **All responses sent by U.S. Mail should be mailed to:**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Patent Customers advised to FAX communications to the USPTO

<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/faxnotice.pdf>

Effective Oct. 15, 2003, ALL patent application correspondence transmitted by FAX must be directed to the new PTO central FAX number:


**NEW PTO CENTRAL FAX NUMBER:
703-872-9306**

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- Any inquiry of a general nature or relating to the status of this application should be directed to the **TC 2100 Group receptionist: (703) 305-3900**.

Please direct inquiries regarding fees, paper matching, and other issues not involving the Examiner to:

Technical Center 2100 CUSTOMER SERVICE: 703 306-5631

The Manual of Patent Examining Procedure (MPEP) is available online at:
<http://www.uspto.gov/web/offices/pac/mpep/index.html>


**ST. JOHN COURTENAY III
PRIMARY EXAMINER**